

**Date Posted: March 2, 2012**

**CITY OF EAST PROVIDENCE**

**RHODE ISLAND**

**DOCKET OF REGULAR COUNCIL MEETING**

**March 6, 2012**

**Council Chambers, City Hall, 145 Taunton Avenue, East Providence,  
RI 02914**

**7:00 P.M. Executive Session – Room 101**

**7:30 P.M. Open Session**

## **I. EXECUTIVE SESSION**

**The City Council of the City of East Providence will meet in Executive Session pursuant to RI General Laws § 42-46-5 (a) (2)**

### **A. Claims Committee**

#### **1.Mei Shu**

#### **Litigation**

#### **1.Tabatha Glavin vs City of East Providence**

## **II. CALL TO ORDER**

## **III. SALUTE TO THE FLAG**

## **IV. TO APPROVE THE CONSENT CALENDAR**

**All items under “CONSENT CALENDAR” are considered to be of a routine and noncontroversial nature by the City Council and will be enacted by one motion. There will be no separate discussion on these items unless a Council member so requests, in which event, the**

item will be removed from the “CONSENT CALENDAR” and will be considered in its normal sequence on the docket.

#### **A. Letters**

1.Town of Exeter Resolution regarding support of legislative amendments to the Rhode Island Low and Moderate Income Housing Act.

2.Coastal Resources Management Council March 2012 Calendar.

3.Notice of New Property Number, 143 Narragansett Avenue.

#### **B. Council Journals**

1.September 2, 2011

2.September 8, 2011

3.September 20, 2011

4.October 18, 2011

5. October 25, 2011

6. November 1, 2011

7.November 15, 2011

8. November 29, 2011

10. December 20, 2011

#### **C.Class F Liquor License**

1.St. Martha’s Church, Pawtucket Avenue, East Providence, Irish Italian Night, March 17, 2012

#### **D.Class F-1 Liquor License**

**1.St Mary Academy Bay View, 3070 Pawtucket Avenue, Cabaret Performance, April 26-29, 2012.**

**E.Abatelements/Hardships**

**Year Amount**

**2011 Hardship \$2,136.71**

**Total \$2,136.71**

**F.Cancellations/Abatelements**

**Year Amount**

**2011 \$742.70**

**Total \$742.70**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Conley\_\_\_DiGioia\_\_\_Kleyla\_\_\_Rose\_\_\_Rogers\_\_\_**

**V. PUBLIC COMMENT**

**VI. APPOINTMENTS**

**A.East Providence Tow List**

**A-1 Towing & Recovery, LLC, 5A Eastern Avenue (02914), John Barbosa.**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Conley\_\_\_DiGioia\_\_\_Kleyla\_\_\_Rose\_\_\_Rogers\_\_\_**

**VII. PUBLIC HEARING - ORDINANCES FINAL PASSAGE**

**A.An ordinance regarding a stop sign on Grassmere Avenue at Brookhaven Drive.**

**AN ORDINANCE IN AMENDMENT OF CHAPTER 18 OF THE REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE, RHODE ISLAND, 1998, AS AMENDED, ENTITLED “VEHICLES AND TRAFFIC”**

**SECTION I. Subsection (b) of Sec. 18-269 entitled “Stop and yield intersections designated; when stops required.” is amended by adding thereto the following:**

**Grassmere Avenue (northbound and southbound traffic) at Brookhaven Drive**

**SECTION II. This ordinance shall take effect upon second passage and all ordinances and parts of ordinances inconsistent herewith are hereby repealed.**

**Requested By: Assistant Mayor Rose**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Conley\_\_\_DiGioia\_\_\_Kleyla\_\_\_Rose\_\_\_Rogers\_\_\_**

**B.An ordinance regarding a stop sign on Wilson Avenue at Bourne Avenue.**

**AN ORDINANCE IN AMENDMENT OF CHAPTER 18 OF THE REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE, RHODE ISLAND, 1998, AS AMENDED, ENTITLED “VEHICLES AND TRAFFIC”**

**SECTION I. Section 18-269 entitled “Stop and yield intersections designated; when stops required” of Article IX entitled “Stop Intersections” of Chapter 18 entitled “Vehicles and Traffic” is**

**amended by adding thereto the following:**

**Wilson Avenue (northbound traffic) at Bourne Avenue**

**SECTION II. This ordinance shall take effect upon second passage and all ordinances and parts of ordinances inconsistent herewith are hereby repealed.**

**Requested By: Councilman Conley**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Conley\_\_\_DiGioia\_\_\_Kleyla\_\_\_Rose\_\_\_Rogers\_\_\_**

**C.An ordinance regarding a one way, on partial sections of Glenrose Drive, Lantern Lane and Ferncrest Drive 8am-9am and 2pm-3pm school days.**

**AN ORDINANCE IN AMENDMENT OF CHAPTER 18 OF THE REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE, RHODE ISLAND, 1998, AS AMENDED, ENTITLED “VEHICLES AND TRAFFIC”**

**SECTION I. Section 18-227 entitled “Temporary closure of streets” of Article VII entitled “Operation of Vehicles” of Chapter 18 entitled “Vehicles and Traffic” is amended by deleting therefrom the following:**

**Glenrose Drive, between Ferncrest Drive and Lantern Lane to all through traffic with the exception of school buses between 8:00 a.m. and 9:00 a.m. and between 2:00 p.m. and 3:00 p.m. on school days**

**SECTION II. Section 18-247 entitled “Designation of one-way streets” of Article VIII entitled “One-Way Streets” of Chapter 18 entitled “Vehicles and Traffic” is amended by adding thereto the following:**

**Glenrose Drive (eastbound) from Lantern Lane to Ferncrest Drive**

**between 8:00 a.m. and 9:00 a.m. and between 2:00 p.m. and 3:00 p.m.  
on school days**

**SECTION III. This ordinance shall take effect upon second passage  
and all ordinances and parts of ordinances inconsistent herewith are  
hereby repealed.**

**Requested By: Director of Public Works**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Conley\_\_\_DiGioia\_\_\_Kleyla\_\_\_Rose\_\_\_Rogers\_\_\_**

## **VIII. NEW BUSINESS**

### **A.City Managers Report (by City Manager Peter Graczykowski)**

#### **1.Approval of Wastewater Rate Study**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Conley\_\_\_DiGioia\_\_\_Kleyla\_\_\_Rose\_\_\_Rogers\_\_\_**

### **B.Reports of Other City Officials**

#### **1.Claims Committee Report(by Solicitor Orlando Andreoni)**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Conley\_\_\_DiGioia\_\_\_Kleyla\_\_\_Rose\_\_\_Rogers\_\_\_**

#### **2. School Committee Update (by Council Liaison School Committee Member Chrissy Rossi)**

### **C.Council Members**

## **1. Bi-Weekly Update (by Mayor Rogers)**

### **D. Resolutions**

#### **1. Resolution for an increase in tax exempt status for United Methodist Elder Care.**

**WHEREAS, United Methodist Elder Care (UMEC), a religious and charitable non-profit corporation, is an agency of the New England Conference of the United Methodist Church; and**

**WHEREAS, for decades, UMEC has served the citizens of East Providence by providing independent living, assisted living, and skilled nursing services to low and moderate income seniors in the community; and**

**WHEREAS, the mission of UMEC is to build and nurture communities where older persons live in comfort, dignity, and with purpose; and**

**WHEREAS, legislation was passed in 1956 and again in 1982 exempting up to \$10 million of UMEC's property from taxation; and**

**WHEREAS, other religious and charitable organizations already benefit from legislation exempting all of their Rhode Island property from taxation.**

**NOW, THEREFORE, BE IT RESOLVED that the East Providence City Council hereby supports the following proposed legislation allowing UMEC permanent exemption from taxation:**

**To be enacted by the General Assembly as follows (to supersede 1982 H7394).**

**SECTION 1. United Methodist Elder Care, a Rhode Island non-profit corporation, and its non-profit corporation subsidiaries and affiliates shall be entitled to acquire, take, receive and hold by purchase, sale, gift, lease, devise, bequest or otherwise, real and personal estate of every kind and description without limitation on the total amount thereof, for religious, charitable or educational purposes, and to use, manage, operate, improve, and apply same for the aforementioned purposes. The said corporations and all of their said real and personal estate shall be exempt from all taxes imposed by the state and by any political subdivision thereof; which said exemption shall apply to all taxes imposed by law upon real and personal estate.**

**SECTION 2. This act shall take effect upon passage.**

**NOW, THEREFORE, BE IT FURTHER RESOLVED that the East Providence City Council hereby requests that the City Clerk send a copy of this Resolution to the Governor of the State of Rhode Island, the Lieutenant Governor of the State of Rhode Island, the President of the Rhode Island Senate, the Speaker of the Rhode Island House of Representatives, and Senator Daniel DaPonte, Senator Frank A. DeVall, Jr., Representative Christopher R. Blazejewski, Representative Roberto DaSilva, Representative Joy Hearn, Representative Helio Melo, Representative Mary Duffy Messier, and Representative John A. Savage.**

**Requested By: Councilman Conley**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Conley\_\_\_DiGioia\_\_\_Kleyla\_\_\_Rose\_\_\_Rogers\_\_\_**



**2.Resolution in support of legislation to maximize the number of voters per polling location.**

**RESOLUTION IN SUPPORT OF AN AMENDMENT TO R.I.G.L. § 17-11-1**

**WHEREAS, R.I.G.L. § 17-11-1 entitled “An Act Relating to Elections – Voting Districts and Officials” currently limits the number of voters to be served at a polling place to 1900; and**

**WHEREAS, legislation has been introduced to increase the maximum number of voters per precinct to 4,000; and**

**WHEREAS, this legislation was introduced during the 2011 session of the General Assembly and passed the House of Representatives by an overwhelming majority; and**

**WHEREAS, the State of Rhode Island has finalized the redistricting of its Congressional, Senate and Representative Districts; and**

**WHEREAS, each of the 39 cities and towns in Rhode Island will need to redistrict their voting precincts in the upcoming months; and**

**WHEREAS, the East Providence Board of Canvassers has reduced the number of voting precincts whenever possible by combining polling precincts for all primary elections with no negative impact on voters; and**

**WHEREAS, with the implementation of the new mail ballot rules and regulations, it is anticipated voter turnout at the polls will decrease statewide; and**

**WHEREAS, as a result, the State and municipalities would both realize savings in election costs; and**

**WHEREAS, due to reductions in State aide to cities and towns and economic conditions in general, it is incumbent upon elected officials to examine areas of potential savings to taxpayers which do not negatively impact services; and**

**WHEREAS, the proposed legislation has been endorsed by the Elections Committee of the Rhode Island Town and City Clerk's Association.**

**NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of East Providence urges the General Assembly to pass a proposed amendment to R.I.G.L. § 17-11-1 which would increase the limit of voters per polling location from 1,900 to 4,000.**

**BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized to sign and submit a copy of this resolution to the City of East Providence's Senators and Representatives in the Rhode Island General Assembly as well as the Speaker of the House and the President of the Senate in seeking their consideration and support**

thereof.

**This resolution shall become effective upon its passage.**

**Requested By: Mayor Rogers**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Conley\_\_\_DiGioia\_\_\_Kleyla\_\_\_Rose\_\_\_Rogers\_\_\_**

#### **E. Introduction of Ordinances**

**1. An ordinance regarding decreased speed on Centre Street, Wilson Avenue and Roger Williams Avenue.**

**AN ORDINANCE IN AMENDMENT OF CHAPTER 18 OF THE REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE, RHODE ISLAND, 1998, AS AMENDED, ENTITLED “VEHICLES AND TRAFFIC”**

**SECTION I. Section 18-203 entitled “Decrease of state maximum speed” of Article VI entitled “Speed Regulations” of Chapter 18 entitled “Vehicles and Traffic” is amended by adding thereto the following:**

**Centre Street—20 miles per hour**

**Wilson Avenue—20 miles per hour**

**Roger Williams Avenue from North Broadway to Pawtucket Avenue—20 miles per hour**

**Requested By: Councilman Conley**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Conley\_\_\_DiGioia\_\_\_Kleyla\_\_\_Rose\_\_\_Rogers\_\_\_**

### **F.Communications**

**1.Anthony Ferreira, 44 Brightridge Avenue (02914) requesting to address the Council regarding infrastructure buildings and equipment.**

**2.Freddie Rybka, 9 Cozzens Avenue (02915) requesting to address the Council regarding work schedule and procedures.**

### **XI.ADJOURNMENT**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Conley\_\_\_DiGioia\_\_\_Kleyla\_\_\_Rose\_\_\_Rogers\_\_\_**

**\* Any items listed on the Council Docket may be subject to a vote.**

**\*If communications assistance is needed or any other accommodations to ensure equal participation please contact the City Clerk's Office at 435-7590.**